

Amendment was not fully responsive to the prior Office Action. In this regard, the three perceived defects listed in the PTO Communication are addressed separately below.

Claim 10 and the Second Paragraph of §112

The PTO Communication asserts that Applicants' prior Amendment did not address (either by traversal or by amendment) the rejection of Claim 10 under the second paragraph of 35 U.S.C. §112. This assertion is respectfully traversed, and Applicants respectfully submit that the Amendment did address this issue.

More specifically, the §112 rejection in question presented a rejection of not only Claim 10, but also a similar rejection of Claim 8. In the remarks of Applicants' prior Amendment, lines 16-22 on page 13 discuss this §112 rejection in regard to Claim 8. Then, in lines 22-24, the remarks state that: "This paragraph [of the Office Action] applies a similar rejection to language in Claim 10. These grounds of rejection are respectfully traversed. In this regard . . .". The remarks then go on to set forth (at lines 24-32 on page 13) a specific argument in support of Applicants' traverse of this §112 rejection of Claims 8 and 10.

Therefore, and contrary to the assertions in the PTO Communication, the remarks of Applicants' prior Amendment (1) acknowledge the §112 rejection of Claim 10, (2) expressly state that this ground of rejection is being traversed, and (3) set forth specific reasons in support of the traverse of the rejection. Consequently, it is respectfully submitted that Applicants' prior Amendment was in fact properly responsive to the rejection of Claim 10 under the second paragraph of §112.

Claim 22 and the Staskus Patent

A second assertion in the PTO Communication is that it is not clear whether the arguments in Applicants' prior Amendment address the §102 rejection of Claim 22 for anticipation by the Staskus patent. This assertion is respectfully traversed, for the following reasons.

In the remarks of Applicants' prior Amendment, the text which runs from line 3 on page 20 to line 6 on page 21 discusses differences between the present invention and several references, including Staskus. Then, at lines 7-15 on page 21, Applicants' remarks expressly state that Claim 22 is patentably distinct from Stakus, including a statement that Stakus and other references each "fail to anticipate a distinctive feature of the invention which is expressly recited in each of independent Claims 1, 17 and 22", and including a statement that "Claims 1, 17 and 22 are each patentably distinct from each of Schubert, Stakus, Clyde, Smith and VEB Inducal".

With this in mind, it is respectfully submitted that the remarks of Applicants' prior Amendment very clearly and expressly traverse the §102 rejection of Claim 22 based on Stakus, and also set forth specific reasons why Claim 22 is believed to be patentably distinct from Staskus. Applicants therefore respectfully submit that there is no basis for the Examiner's assertion to the contrary in the PTO Communication mailed on May 21, 2002.

VEB Inducal Reference and Claims 10, 14, 16 and 21

The third assertion in the PTO Communication is that the remarks of Applicants' prior Amendment fail to specifically explain how the claims rejected under §103 as

obvious in view of VEB Inducal either avoid or distinguish VEB Inducal. This assertion is also respectfully traversed, for the following reason.

The claims in question are all dependent claims. In particular, there are Claims 10, 14 and 16 (which depend from independent Claim 1), and Claim 21 (which depends from independent Claim 17). With reference to the remarks in Applicants' prior Amendment, the portion running from line 23 on page 19 through line 15 on page 21 points out a distinctive feature which is recited in each of independent Claims 1 and 17, and which is not disclosed in VEB Inducal. As part of this, the sentence at lines 7-11 on page 21 expressly argues that several references (including VEB Inducal) "not only fail to anticipate a distinctive feature of the invention which is expressly recited in each of independent Claims 1, 17 and 22, but that this feature would not be obvious in view of any of these references" (emphasis added).

Since Claims 10, 14 and 16 each depend from Claim 1, they inherently include the recitation of this distinctive feature which appears in Claim 1. Similarly, since Claim 21 depends from independent Claim 17, it inherently includes the recitation of this distinctive feature which appears in Claim 17. As noted above, the sentence at lines 7-11 on page 21 specifically states that this feature is neither anticipated by nor rendered obvious in view of any of these references, including VEB Inducal. In the sentence of the remarks at lines 17-21 on page 21, Applicants specifically state that dependent Claims 10, 14, 16 and 21 are all "believed to be patentable over the art of record, for example for the same reasons discussed above with respect to Claims 1, 17 and 22". Thus, and contrary to the assertions in the PTO Communication, it is respectfully submitted that Applicants'